



Docket No.: 9988.059.00
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
LEE, Soon Jo et al.

Customer No.: 30827

Application No.: 10/663,995

Confirmation No.: 1979

Filed: September 17, 2003

Art Unit: 3749

For: STRUCTURE FOR SHIELDING EXPOSED
PART OF CORE WIRE OF TERMINAL
BLOCK IN CLOTHES DRYER

Examiner: Stephen Michael Gravini

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

Applicants request review of the Final Office Action dated November 6, 2006, and the Advisory Action dated March 23, 2007, for at least the reasons set forth by Applicants on March 5, 2007, as well as the reasons set forth below.

I. Applicants' Response of March 5, 2007 Does Not Necessitate Further Search and/or Consideration

Applicants traverse the Examiner's indication that the Request for Reconsideration, filed on March 5, 2007, requires further consideration and/or search. *See Advisory Action.*

Applicants submit that the Request for Reconsideration filed on March 5, 2007 merely addresses the Examiner's rejections, which were set forth in Office Actions on May 25, 2007, and again on November 6, 2006. No claim amendments were made in the Request for Reconsideration. Since the Applicants' claims were previously considered and the Examiner's rejections were previously set forth, Applicants submit that further search and/or consideration by the Examiner is clearly not necessary. Accordingly, Applicants respectfully request that the Review Panel correct this error.

II. None of the Applicants' arguments were addressed in the Advisory Action

In response to the Final Office Action of November 6, 2006, Applicants filed a Request for Reconsideration that did not include any claim amendments. However, in the Advisory Action, the Examiner does not address any of Applicants' Remarks, but merely states that further consideration and/or search is required. If further consideration and/or search is necessary, it would appear as if the Examiner has found Applicants' Remarks to be persuasive. Otherwise, further consideration and/or search would be unnecessary. Accordingly, Applicants respectfully request that the various rejections be withdrawn if the Examiner requires further consideration and/or search.

III. Applicants request withdrawal of the rejection of independent claim 4, as well as dependent claims 5-6 and 9-10 which depend there from, under 35 U.S.C. §102(b) as being anticipated by EP 0 889 556 (hereinafter *Douty*).

i) *Douty* does not disclose a terminal block disposed "within" the laundry dryer control or a terminal block that includes a "back portion placed on the control panel," as required by claim 4. In contrast, *Douty* discloses a terminal block 10 mounted in a cut out of a panel 150, *see Douty at column 2, lines 47-50*, where panel 150 is not a control panel.

ii) *Douty* does not disclose a wall extending below the terminal block bottom part and above the terminal block uppermost part, wherein "the wall extends from the terminal block such that the wall shields portions of exposed cores of the first wire and the second wire," as recited in claim 4. The Examiner identifies termination site 20, skirt 22, and end wall 26 as being the claimed wall. *See page 2 of the Office Action*. Applicants respectfully disagree. As illustrated in Figure 1, the termination site 20, skirt 22, and end wall 26 do not extend below the terminal block bottom part and above the terminal block uppermost part. In fact, the Examiner in his various rejections completely ignores the requirement that the wall extends "below" the terminal block "bottom part" and "above" the terminal block "uppermost" part.

iii) *Douty* fails to disclose the first and second wires, particularly a first wire extending out of the terminal block bottom part and a second wire extending out of the terminal block uppermost part, wherein the first and second wires include "portions of exposed cores." The Examiner identifies power cable 192 and internal wires 186 as being the claimed first and second wires, respectively. However, power cable 192 and internal wires 186 do not include portions of

“exposed cores” that extend above an uppermost portion of the terminal block or below a bottom portion of the terminal block, as required by claim 4. *See Douty at column 5, lines 9-20 and Figure 5.* In fact, Figure 6 illustrates power cable 192 and internal wires 186 as being completely insulated beyond the terminal block.

IV. Applicants request withdrawal of the rejection of independent claim 1, as well as claims 3, 7, and 8 which depend from there from, under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 2,742,708, issued to *McCormick* in view of U.S. Patent No. 4,030,802, issued to *Lennon et al.* (hereinafter *Lennon*).

i) *McCormick* fails to disclose or suggest, *inter alia*, “a terminal block provided on an inside of the control panel, wherein the terminal block comprises a back portion placed on the control panel and a front portion having a wall configured for shielding parts exposing a core of a wire extending above an uppermost portion of the front portion and below a bottom portion of the front portion,” as recited in claim 1. This is evidenced at least by the Office’s inability to rely on any portion of *McCormick* for these features.

ii) *Lennon* fails to cure the deficiencies of *McCormick*. For example, *Lennon* fails to disclose or suggest, *inter alia*, “a terminal block provided on an inside of the control panel, wherein the terminal block comprises a back portion placed on the control panel,” as recited in claim 1. In contrast, *Lennon* discloses a terminal block assembly for a sequence timer 13. *See Lennon at Figures 1 and 2.* *Lennon*, however, does not disclose a terminal block with respect to a control panel of a clothes dryer, as recited.

Lennon also fails to disclose or suggest, *inter alia*, a wall that is configured for shielding the exposed core of a wire extending above an uppermost portion of the front portion and below a bottom portion of the front portion. To the extent the Office alleges that bottom plate 47 of *Lennon* is the claimed wall, Applicants submit that bottom plate 47 cannot be the claimed wall because the bottom plate 47, *inter alia*, does not extend below a bottom portion of the front portion of the terminal block, as required by the claims.

In addition, *Lennon* fails to disclose or suggest, *inter alia*, parts exposing a core of a wire extending above an uppermost portion of the front portion and below a bottom portion of the front portion, as recited in claim 1. In contrast, *Lennon* discloses leads 35 (i.e., insulated electrical conductors) and not exposed wire cores. *See Lennon at column 7, lines 3-12, as well as Figures 1 and 2.* Consequently, *Lennon* cannot possibly disclose exposed portions of a wire

core extending above the uppermost portion of the terminal block and below a bottom portion of the terminal block.

Furthermore, turning to page 7 of the Final Office Action, the Examiner alleges that the claimed recitation “configured for” is considered to be met in *Lennon* because it can be seen from Figures 2, 3, and 5 that the wall is configured for the intended use of the claim. Applicants respectfully disagree. Figures 2, 3, and 5 of *Lennon* do not illustrate portions of exposed wires, extending above an uppermost portion and below a bottom portion of terminal block 10. Still further, the text in *Lennon* corresponding to Figures 2, 3, and 5 do not mention any exposed wire cores as extending out of the terminal block 10. Thus, Figures 2, 3, and 5 of *Lennon* cannot possibly teach the intended purpose of the claim.

V. Applicants request withdrawal of the rejection of claim 2 under 35 U.S.C. §103(a) as being unpatentable over *McCormick* in view of U.S. Patent No. 4,010,996, issued to *Hopkins*, in further view of U.S. Patent No. 4,820,189, issued to *Sergeant et al* (hereinafter *Sergeant*).

i) The 35 U.S.C. §103(a) rejection is inappropriate at least since the Examiner relies upon *Lennon* in the rejection of independent claim 1, but does not rely upon *Lennon* in the rejection of dependent claim 2.

ii) The Examiner contends that *McCormick* and *Hopkins* teach everything in claim 2 except a “wall for shielding parts exposing a core of a wire extending above an uppermost portion of the front portion and below a bottom portion of the front portion.” Whether or not the Examiner’s contention is true, *Sergeant* fails to cure this deficiency. More specifically, *Sergeant* does not disclose, inter alia, “parts exposing a core of a wire extending above an uppermost portion of the front portion and below a bottom portion of the front portion.” In setting forth the rejection, the Office relies on *Sergeant* at column 4 lines 1-12, which describes a first embodiment depicted in Figure 1B. However, Figure 1B of *Sergeant* illustrates insulated wires extending, and not exposed wire cores, through a terminal block 20. Moreover, Figure 1B fails to illustrate a wall shielding exposed portions of wires. In addition, the Office also relies on a second embodiment, depicted in Figures 2-5, which illustrate a frame element that functions as a rack for the distribution of wires 16 and terminals 18. Figures 2-5 do not illustrate a terminal block, nor exposed portions of wires extending above and below a terminal block. First, it was improper for the Examiner to combine the first embodiment and the second embodiment without

providing motivation to do so. Second, even if one skilled in the art were motivated to combine these embodiments, the combined teaching fails to disclose all of the claimed features including a "wall for shielding parts exposing a core of a wire extending above an uppermost portion of the front portion and below a bottom portion of the front portion," as stated above.

The application is in a condition for allowance and favorable action is respectfully solicited. If for any reason the Examiner believes a conversation with the Applicants' representative would facilitate the prosecution of this application, the Examiner is encouraged to contact the undersigned attorney at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: April 6, 2007

Respectfully submitted,

By


Mark R. Kresloff

Registration No.: 42,766

McKENNA LONG & ALDRIDGE LLP

1900 K Street, N.W.

Washington, DC 20006

(202) 496-7500

Attorneys for Applicant